

Chairman Anthony C. Maiola
Commissioner John W. Byrne
Commissioner Patricia T. Russell
Commission Attorney Steven Slovenski

Chief Eddie Edwards
Legal Assistant Nancy Shea

NHSLC - BUREAU OF ENFORCEMENT AGENDA
WEDNESDAY, OCTOBER 4, 2006

1. SUSPENSIONS:

a. Action Pending:

None

b. Licensees Suspended For Non-Payment of Fines:

None

c. Licensees Suspended For Non-Compliance of RSA 178:2. (Mandatory training within 45 calendar days of the issuance of liquor license):

None

2. LICENSEES WHO MAY BE ORDERED TO A HEARING

None

3. HEARINGS SCHEDULED FOR WEDNESDAY, OCTOBER 4, 2006:

4. HEARINGS SCHEDULED:

a. October 18, 2006 - 9:30 a.m. at NHSLC - Robert J. Hart Building,
30 Storrs Street, Concord, NH.
Owl Nest Country Store & Rest.
Combination license #3141747.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I - did sell alcoholic beverage to an
underage person (19) (1st offense).

5. HEARINGS WITH DATES TO BE DETERMINED:

None

6. WARNING LETTERS/FINES:

a. Jo Green's Garden Café, 33 Dockside, Wolfeboro, NH.
Restaurant Full Service with Lounge license #L007903.
Licensed under RSA 178:21, II(a)(1)/178:22, V(q).
Cited for violation of RSA 179:5, I - did sell alcoholic beverage (to an
underage person.
Recommendation: Settlement reached for an Administrative fine of \$500, the
license to sell alcohol shall be suspended for a period of three (3) days
and held in abeyance for twelve (12) months pending no like violation, four
(4) points shall be assessed to the license, all managers shall attend a
Management Training Seminar (MTS) within forty-five (45) days of
adjudication, all servers shall attend a Total Education in Alcohol
Management (TEAM) seminar within forty-five (45) days of adjudication, all
doormen shall attend a Total Education in Alcohol Management (TEAM) seminar
within forty-five (45) days of adjudication, and the Licensee shall provide
to the Bureau of Liquor Enforcement a copy of the alcohol management policy
it gives to all of its employees within thirty (30) days of adjudication.

- b. Pine River Steak House, Inc., 551 Pine River Road, Wakefield, NH.
Restaurant Full Service with Lounge license #310503.
Licensed under RSA 178:21, II(a)(1)/178:22, V(q).
Cited for violation of RSA 179:5, I - did sell or serve alcoholic beverage to two (2) intoxicated persons (1st offense).
Recommendation: The license to sell alcohol in the lounge shall be suspended for period of one hundred eighty (180) days to commence November 1, 2006 with re-grant one hundred eighty (180) days therefrom, the license to sell alcohol in the dining room shall be suspended for a period of thirty (30) days to commence on November 1, 2006 with re-grant thirty (30) days therefrom, the license to sell alcohol shall be suspended for period of one hundred eighty (180) days held in abeyance for twelve (12) months, fifty (50) hours of community service shall be served participating in Liquor Commission sponsored management training seminars conducted by the Bureau of Enforcement and Licensing to include but not be limited to providing an overview of the facts leading to the Wakefield tragedy, the importance of compliance with liquor laws, and the importance of providing adequate training to persons in management positions and to servers.
- c. Portsmouth Brewery, 56 Market Street, Portsmouth, NH.
Brew Pub license #2000715.
Licensed under RSA 178:13.
Cited for violation of RSA 179:5, I - did sell or serve alcoholic beverage to an intoxicated person.
Cited for violation of RSA 179:20, II - did allow an employee to consume alcoholic beverage while working.
Recommendation: An Administrative fine of \$500 for violation of RSA 179:5 and an Administrative fine of \$250 for violation of RSA 179:20, II for a total monetary fine of \$750, the license to sell alcohol shall be suspended for a period of three (3) days and held in abeyance for twelve (12) months pending no like violation, four (4) points shall be assessed to the license, and mandatory attendance at a Management Training Seminar (MTS) for all managers within forty-five (45) days of adjudication.

7. NON-CONTESTED TITLE XIII VIOLATIONS FINES PAID IN FULL

- a. Cumberland Farms, Inc., 108 Webster St., Manchester, NH.
Combination License #869347.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 8/29/06.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- b. Kwik Stop, 1095 Hanover St., Manchester, NH.
Combination License #3075547.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 8/29/06.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- c. Lucia's Tavola LLC, 181 Rt. 13, Brookline, NH.
Restaurant Beverage and Wine license #1253703.
Licensed under RSA 178:20.
Cited for violation of RSA 179:5, I.
Compliance Check 9/21/06.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.
- d. New Harvester Market, Inc., 16 Bradford Rd., Henniker, NH.
Combination License #726747.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 9/22/06.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.

- e. (The) Sports Page LLC, 172 Hanover Street, Portsmouth, NH.
Restaurant Full Service with Lounge license #1306003.
Licensed under RSA 178:21, II(a)(1)/178:22, V(q).
Cited for violation of 179:31 - Advertising Restrictions.
ADMINISTRATIVE FINE \$250 PAID.
- e. Tenney Mountain Country Store LLC, Plymouth, NH.
Combination License #3162647.
Licensed under RSA 178:18.
Cited for violation of RSA 179:5, I.
Compliance Check 9/16/06.
ADMINISTRATIVE FINE \$500 PAID - FOUR (4) POINTS ASSESSED.

8. REQUESTS FOR SOLICITORS/REPRESENTATIVE AND DIRECT SHIPPER APPLICATION:

- a. Fleming Jenkins, LLC DBA Fleming Jenkins Vineyards and Winery.
300 College Avenue, Los Gatos, CA 95030.
Direct Shipper Permit Application - RSA 178:27.
Recommendation: Approval.

9. LICENSEE PETITIONS FOR COMMISSION APPROVAL:

- a. Alyson's Orchard, Inc. DBA LaBelle Vineyards and Winery.
57 Alyson's Lane Wentworth Road, Walpole, NH 03608.
Wine Manufacturer Off-Premise Wine Only License #561230.
Licensed pursuant to RSA 178:22 (h).
Requests approval for Authorization of Other Areas and transportation to and from, to wit, Amherst Farmer's Market, Salzburg Square, Amherst, NH
Thursdays and Fridays 11AM - 7PM and Saturdays 10AM - 4PM beginning October 12, 2006; Licensee will provide adequate security for product pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
- b. L B Bar and Grill, Inc. DBA The Looney Bin.
554 Endicott Street North, Laconia, NH 03247.
Restaurant On-Premise Beverage Wine Liquor License #1311703.
Licensed pursuant to RSA 178:22 (q).
Requests approval for Authorization of Other Areas, to wit,
a 20' x 30' tent located in the back yard of the restaurant enclosed by a 6' stockade fence pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.
- c. L.B.O. Holding, Inc. DBA Attitash/Bear Peak Resort.
Route 302, Bartlett, NH 03812.
Requests approval for Beer Festival - Beverage and Specialty Beer License
Application license pursuant to RSA 178:30 for a two day festival on October 7 and 8, 2006 from 12PM to 6PM in an 8000 square foot double fenced in tent.
Recommendation: Approval.
- d. Louisa Azoury DBA Top of The Harbor.
209 Ocean Boulevard, Seabrook, NH 03874.
Restaurant On-Premise Beverage Wine Liquor License #1311703.
Licensed pursuant to RSA 178:22 (q).
Requests approval for Authorization of Other Areas, to wit,
an outside upper deck eating area with 85 seats pursuant to RSA 178:24 and Liq. 404.05.
Recommendation: Approval.

10. COMMISSION DECISIONS PENDING:

11. COMMISSION DECISIONS AFTER HEARING:

12. MISCELLANEOUS ITEMS:

13. EXECUTIVE SESSION ITEMS: